

3739\$

Patent Application

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. of: Peter A. Altman Art Group: 3739  
Serial No.: 10/014,445 Examiner: Lee S. Cohen  
Filed: December 11, 2001 Atty. Docket: 23,403-05  
Reissue of: U.S. Patent No. 5,551,427  
For: Implantable Device for Penetrating and Delivering Agents to Cardiac Tissue

TRANSMITTAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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FEB 11 2004  
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Sir:

Enclosed for filing please find the following:

1. Amendment (18 pages), including Cover (1 page), Listing of the Claims (9 pages), and Remarks (8 pages); and attached Exhibit A (3 pages);
2. Terminal Disclaimer (2 pages);
3. Request for Extension of Time (2 pages);
4. Fee Transmittal FY2004 (1 page);
5. Check in the amount of \$336.00 in payment of the fees for 23 claims over the number previously paid for (\$207.00) and 3 independent claims over the number previously paid for (\$129.00);
6. Check in the amount of \$210.00 for filing the Request for Extension of Time (two months; small entity);
7. Check in the amount of \$55.00 for filing Terminal Disclaimer; and
8. Return Receipt Postcard.

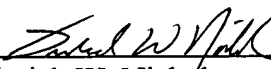
The Commissioner is authorized to charge any additional fees necessitated by this correspondence, or credit any overpayment, to Deposit Account No. 12-0449.

Please direct any questions or comments to Frederick W. Niebuhr at (952) 896-1574.

Respectfully submitted,

Biocardia, Inc.

Date: January 28 2004

By:   
Frederick W. Niebuhr  
Registration No. 27,717  
Customer No. 23452




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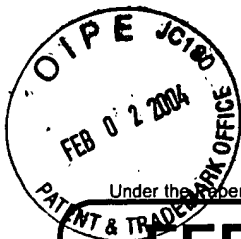
### CERTIFICATE OF MAILING

Pursuant to 37 C.F.R. 1.8, I hereby certify that this Transmittal and accompanying Amendment and attached Exhibit, Terminal Disclaimer, Request for Extension of Time, and Fee Transmittal FY2004, in U.S. Patent Application Serial No. 10/014,445, and checks in the amounts of \$336.00 (extra claims), \$210.00 (extension fee) and \$55.00 (Terminal Disclaimer) are being deposited with the U.S. Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date of deposit indicated below.

Date: January 28, 2004

  
Geralyn M. Vita

917047.1



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PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 601.00

## Complete if Known

Application Number	10/014,445
Filing Date	December 11, 2001
First Named Inventor	Peter A. Altman
Examiner Name	Lee S. Cohen
Art Unit	3739
Attorney Docket No.	23,403-05

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number  
Deposit Account Name

12-0449

Larkin Hoffman Daly & Lindgren Ltd.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$ )

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** = 23	X 9	= 207.
Independent Claims	-3** = 3	X 43.	= 129.
Multiple Dependent			

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 336.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	210.00
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)	Terminal Disclaimer (small entity)		55.00

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 265.00

## SUBMITTED BY

(Complete (if applicable))

Name (Print/Type)	Frederick W. Niebuhr	Registration No. (Attorney/Agent)	27,717	Telephone	952-896-1574
Signature		Date	January 28, 2004		

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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